GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PRED – Sri Kavuri Prasada Rao, the then Deputy Executive Engineer, Panchayat Raj, Guntur District and now retired - Allegations of not obtaining prior permission for acquiring assets in his name and in the name of his family members from the competent authority nor intimation to the Government - Disciplinary action initiated - Inquiry conducted – Charge proved - Imposition of penalty of withholding of five (5%) percent pension for a period of one (1) year– Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.RT.No.229 **Dated:15.03.2024**

Read the following

1. From the DG, ACB, Letter No. 94/RCA-VGT/99, dated:01.03.2005.
2. Govt., Memo No.276/Vig.IA/2001-14., Dt: 29.08.2006.
3. From the ENC, PR, Lr.No.Vig.II(3)/12749/2000, Dt:09.01.2015.
4. G.O.Rt.No.1150, PR&RD (Vig. II) Department, Dated:19.12.2015.
5. From SE, PR, Guntur, Rc.No.A2/1334/1998, Dt:19.11.2021
6. Govt. Memo.No.276/Vig.II/2001-24, dt:30.03.2022.
7. From the ENC, PR, Letter.No.Vig.III(1)/12749/2000, Dt:17.05.2022.
8. Govt., Memo No.276/Vig.II/2001, Dt:29.12.2022.
9. From the ENC, PR, Letter.No.Vig.III(1)/12749/2000, dt:06.12.2023

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ORDER:

Based on the recommendations of the Director General, Anti-Corruption Bureau, A.P, made in the reference 1st read above, on the allegations of not obtaining prior permission for acquiring assets in his name and in the name of his family members from the competent authority nor intimation to the Government in respect of Sri Kavuri Prasada Rao, the then Deputy Executive Engineer, Panchayat Raj, Guntur District, Government have framed following article of charge under Rule 20 of APCS (CC&A) Rules, 1991 vide reference 2nd read above against Sri Kavuri Prasada Rao, the then Deputy Executive Engineer, Panchayat Raj, Guntur District, with a direction to submit his written statement of defence :

Charge :

That Sri Kavuri Prasada Rao S/o Venkata Narayana joined Government Service on 29.11.1962 as Overseer in Panchayat Raj & Rural Development Department was promoted as Engineering Supervisor on 01.10.1965 and as D.E.E, on 29.10.1994 and whiler functioning in the aforesaid capacities during the period between 29.11.1962 to 18.05.1999 committed grave misconduct in as much as he failed to obtain prior permission for acquiring assets movable and immovable assets mentioned in the Annexure-II in his name

PTO.,

and in the name of his family members from the competent authority not intimated to the Department and failed to maintain absolute integrity in violation of APCS (Conduct) Rules,1964.

Thus, Sri Kavuri Prasada Rao, by his above mentioned acts had exhibited lack of integrity, devotion to duty and conduct unbecoming of Government Servant and thereby contravened Rule 9 of APCS (Conduct) Rules, 1964 r/w Rule 9 of A.P. Revised Pension Rules, 1980. Hence, the Charge.

2. In the reference 3rd read above, the Engineer-in-Chief, PR has furnished the written statement of defence dt:20.12.2014 of the charged officer Sri Kavuri Prasada Rao, the then Deputy Executive Engineer, Panchayat Raj, Guntur District (Retired).

3. Government have not satisfied with the Written Statement Defence submitted by Charged Officer and decided to conduct a regular inquiry into the matter against the charged officer Sri Kavuri Prasada Rao, the then Deputy Executive Engineer, Panchayat Raj, Guntur District (Retired). Accordingly, in the reference 4th read above, Government have appointed the Superintending Engineer, PR Circle, Guntur as the Inquiring Authority and the Executive Engineer, PR Division, Guntur as Presenting Officer under Rule 20 (2) of A.P.C.S (CC&A) Rules, 1991, to conduct an inquiry into the charges framed against Charged Officer Sri Kavuri Prasada Rao, the then Deputy Executive Engineer, Panchayat Raj, Guntur District (Retired) into the matter.

4. In the reference 5th read above, the Superintending Engineer, PR Circle, Guntur & Inquiring Authority has submitted inquiry report wherein the Inquiry Officer has held that charge framed against the charged officer Sri Kavuri Prasada Rao, the then Deputy Executive Engineer, Panchayat Raj, Guntur District (Retired), is held proved, among others.

5. Government, after examination of the Inquiry Report, in the reference 6th read above, have communicated a copy of the inquiry report to the charged officer Sri Kavuri Prasada Rao, the then Deputy Executive Engineer, Panchayat Raj, Guntur District (Retired), as per Rule 21 (2) of A.P.C.S (CC&A) Rules, 1991, for his representation if any on the findings of the Inquiry Authority.

6. In the reference 7th read above, the Engineer-in-Chief, Panchayat Raj has furnished the representation dt:07.05.2022 of the charged officer Sri Kavuri Prasada Rao, the then Deputy Executive Engineer, Panchayat Raj, Guntur District (Retired). The charged officer in his representation stated that he neither purchased nor helped in acquiring all the movable and immovable properties mentioned in the annexure, only one item No.3 was purchased by him with his parent's properties. At that time, he has not aware of the conduct rules and hence, he could not take prior permission from the head of the department. Moreover, due to ill health of his mother, he availed leave approximately (18) years in his service. He has retired from Govt. service on 30.06.2000 and since then he has not getting pensionary benefits since two decades and he facing lot of problems, he was not in a position to attend the offices in getting pensionary and other benefits. Hence, he requested to drop the charges framed against him without initiation of any disciplinary action duly

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considering the Hon'ble Court orders and lack of knowledge in obtaining prior permission from the competent authority. Further, the Charged Officer has not put forth any new valid reasons for considering his request for dropping the charge against him.

7. Government, after examining the matter and the explanation submitted by the Charged Officer, keeping in view of findings of Inquiring Authority, have observed that the charge framed against the Charged Officer is proved and accordingly taken a provisional decision to impose a penalty of withholding five (5%) percent pension for a period of one (1) year against the charged officer Sri Kavuri Prasada Rao, the then Deputy Executive Engineer, Panchayat Raj, Guntur District (Retired). The Government, in the reference 8th read above, have communicated above provisional decision through show cause notice to the charged officer as per Rule 9 of AP Revised Pension Rules, 1980, for his representation within fifteen (15) days from the date of receipt of the same filing which it will be construed that he has no explanation to offer and further action will be taken as per rules.

8. In the reference 10th read above, the Engineer-in-Chief, Panchayat Raj has submitted the dated acknowledgement regarding service of copy of the above Memo on Charged Officer, to the Government according to which the provisional decision communicated vide Govt. Memo dt:29.12.2022 has been served on the charged officer on 11.02.2023. But, the charged officer has not submitted any representation on the provisional decision of the Government till the date.

9. Government after careful examination of the matter, have taken decision to proceed further and decided to impose the penalty of withholding five (5%) percent pension for a period of one (1) year against the charged office Sri Kavuri Prasada Rao, the then Deputy Executive Engineer, Panchayat Raj, Guntur District and now retired, under Rule 9 of AP Revised Pension Rules, 1980, in the matter.

10. Accordingly, Government hereby impose the penalty of withholding five (5%) percent pension for a period of one (1) year against Sri Kavuri Prasada Rao, the then Deputy Executive Engineer, Panchayat Raj, Guntur District and now retired, under Rule 9 of AP Revised Pension Rules, 1980, in the matter.

11. The Engineer-in-Chief, Panchayat Raj, is requested to take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri Kavuri Prasada Rao, the then Deputy Executive Engineer, Panchayat Raj, Guntur District (Retired)
through the Engineer-in-Chief, Panchayat Raj, AP, Vijayawada.
The Engineer-in-Chief, Panchayat Raj, Vijayawada (with a request to serve the order on the above retired officer and furnish the dated acknowledgment copy)

PTO.,

Copy to:
The Director General, Anti-Corruption Bureau, A.P., Vijayawada
The PR&RD(Estt.I) Department.
OSD to the Hon'ble Dy.CM for PR&RD Department.
PS to Principal Secretary to Govt., PR&RD Department.
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER